



**US Army Corps
of Engineers®**
Nashville District

Public Notice

Public Notice No. 04-10

Date: March 1, 2004

Application No. 200400034

Please address all comments to:
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Floating Community Boat Docks and Boat Ramp at Mile 0.5, Left bank, Kellar Branch (Holston River Mile 83.1L), in Hamblen County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the Clean Water Act, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: McKeough Land Company, Inc.
208 Franklin Street
Grand Haven, Michigan 49417-1336

LOCATION: Mile 0.5, left bank, Kellar Branch (opposite Holston River Mile 83.1L), on Cherokee Lake, Near Russellville, in Hamblen County, Tennessee, Large Community Dock Coordinates (Lat 36° 17' 13", Long 83° 12' 13"), Ramp Coordinates (Lat 36° 17' 38", Long 83° 12' 22"), Russellville-TN, USGS 7.5 Minute Series Quad Map. See Exhibits A and B.

DESCRIPTION: The proposed work consists of the construction of four floating community boat docks and a boat-launching ramp for the private use of the residents of Turner's Landing Subdivision. Details of the work are as follows:

a. Large Community Dock. The proposed floating covered community dock would measure 54' wide by 400' long and contain 34 @20'x24' slips (68 boats) (Exhibit C). Access ramps and header walkways would be 6' wide while slip fingers would be 3' wide. The dock would have galvanized steel framing and roof and composite material decking. Flotation would consist of encapsulated Styrofoam modules. The dock would be anchored with a winch/cable/dead man system.

b. Small Community Docks. Three small floating covered community docks would be built to service several lakefront lots. Community Dock 1, servicing Lots 53, 54, and 64 (3 boats), would measure 30'x42' and have a 4'x20' hinged access walkway. Community Dock 2, servicing Lots 69 and 70 (2 boats), would measure 30'x29' and have a 4'x20' hinged access walkway. Finally, Community Dock 3, servicing Lots 77, 99-102, and 116-118 (8 boats), would measure 30'x95' and have a 4'x120' hinged access walkway. Access ramps, header walkways, and slip fingers would be 6', 4', and 3' wide, respectively. The docks would be built using the same construction materials and standards employed for the large dock. See Exhibits D-F.

c. Boat Ramp. A 14' wide, by 190' long, by 6" thick reinforced concrete boat launching ramp would be built to provide residents convenient seasonal water access (Exhibit G). The top of the ramp would be at Elevation (El) 1075 and the bottom at El. 1040. The construction of the ramp would require the placement of approximately 167 cubic yards (CY) of fill material below NSP. The ramp would be built at an 18.4% grade (average).

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office before a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination, and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

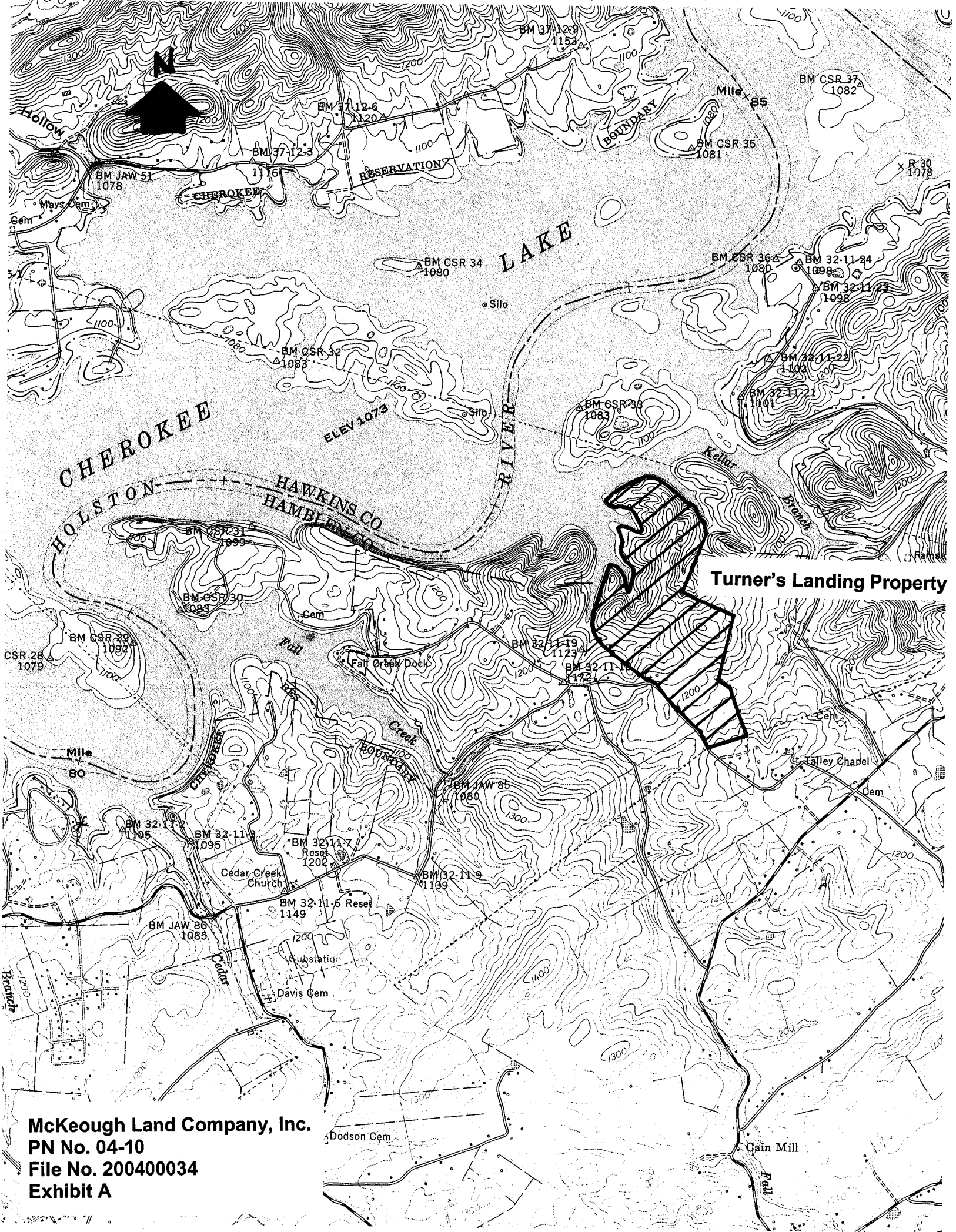
Other federal, state, and/or local approvals required for the proposed work are as follows:

a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

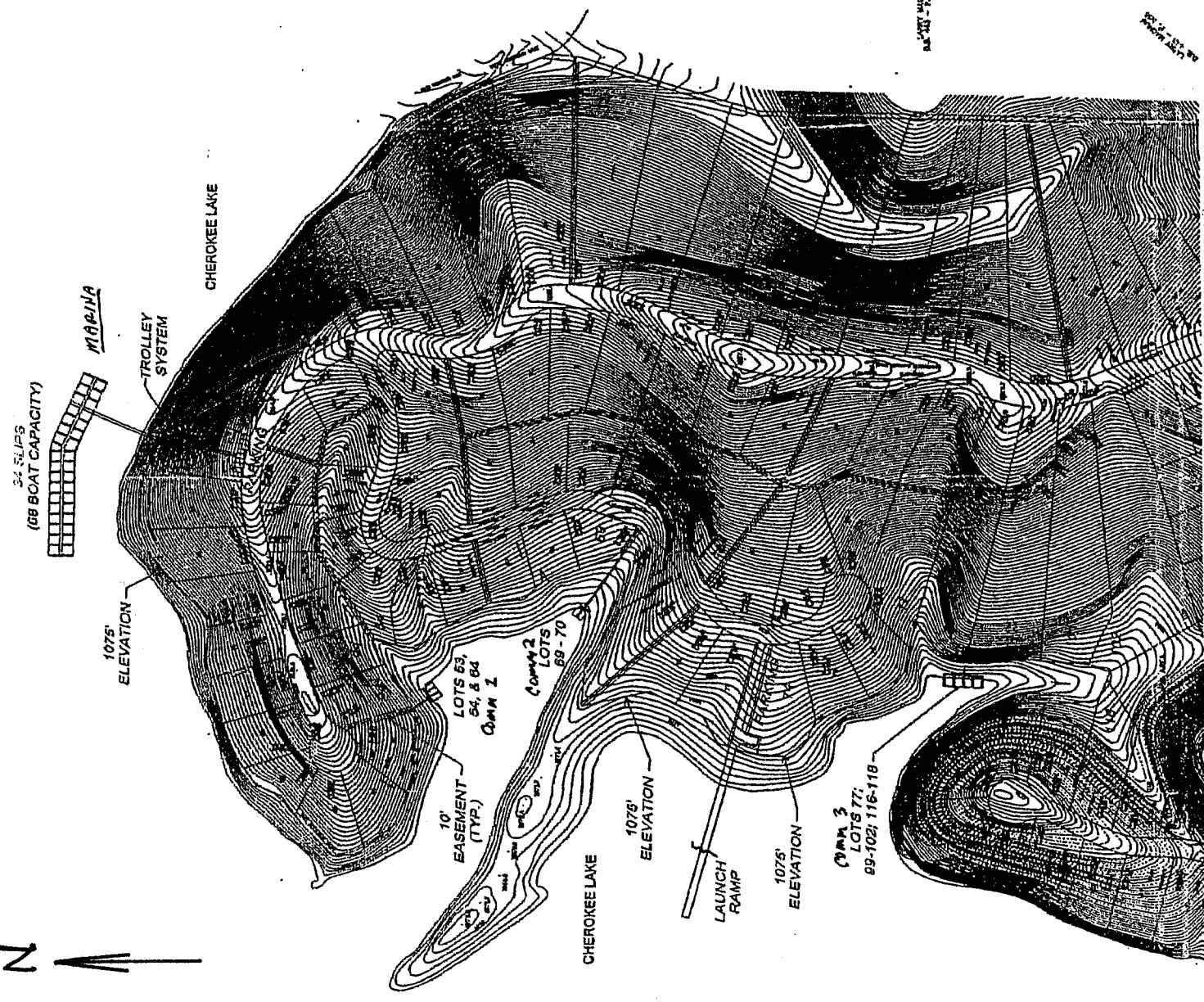
Written statements received in this office on or before March 31, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Cherokee-Douglas Watershed Team, 2611 West Andrew Johnson Highway, Morristown, Tennessee 37814-3295. Please send your comments relative to the §401 Water Quality Certification to Mr. Dan Eagar, Tennessee Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street Nashville, Tennessee 37243-1534, telephone (615) 532-0625.



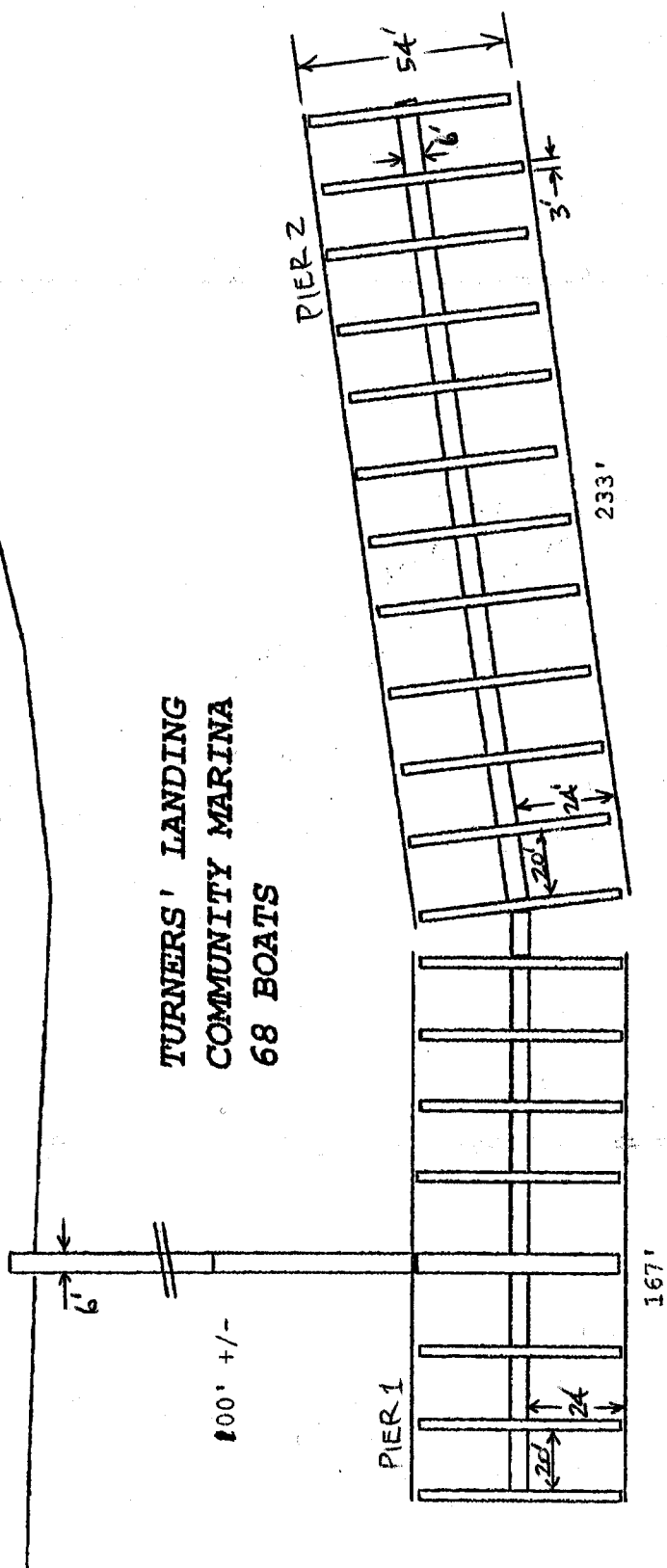
McKeough Land Company, Inc.
PN No. 04-10
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Exhibit A



MARINA - 68 BOATS
Canal Dock 1 - 3 BOATS
Canal Dock 2 - 2 BOATS
Canal Dock 3 - 8 BOATS



McKeough Land Company, Inc.
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Exhibit B

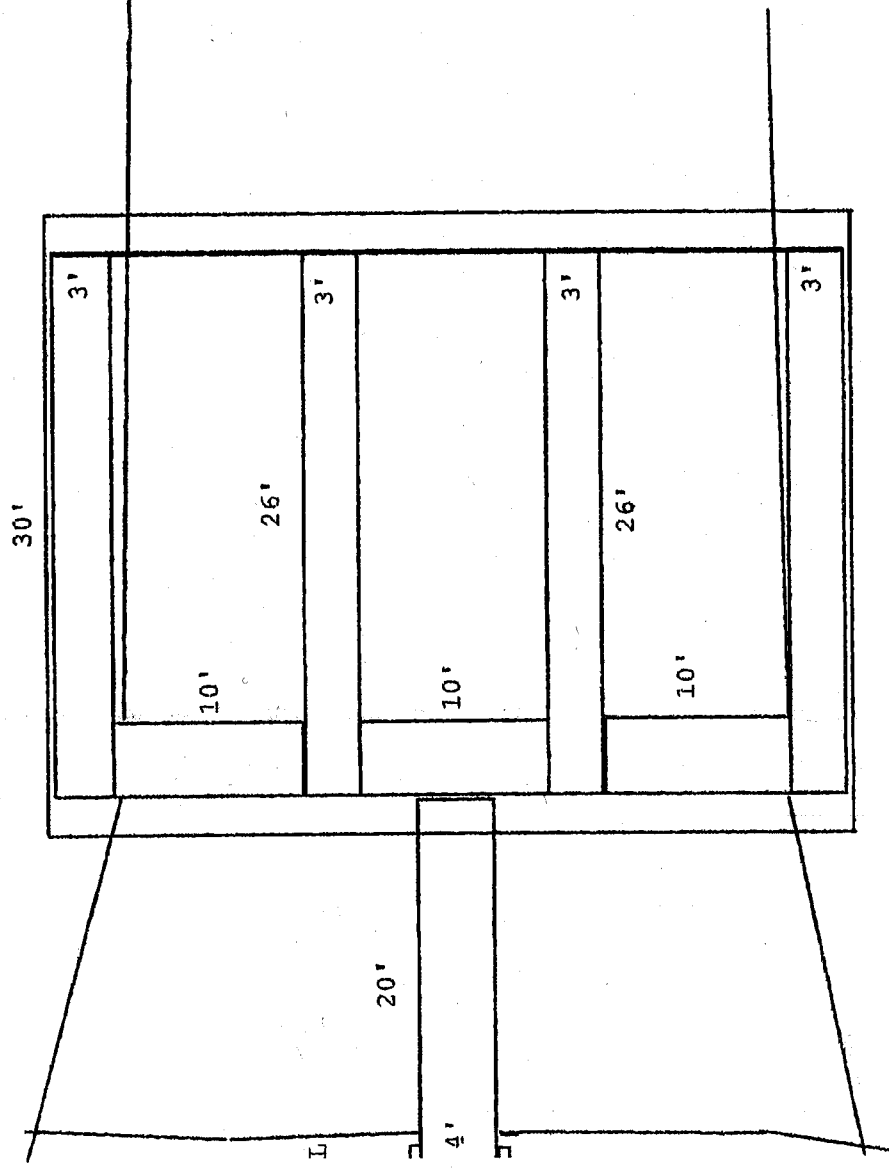


SLIPS - 20'X24' W/ 10' ROOF

ADVANTAGE DOCKS
CRONAN LABORDE INC.

McKeough Land Company, Inc.
PN No. 04-10
File No. 200400034
Exhibit C

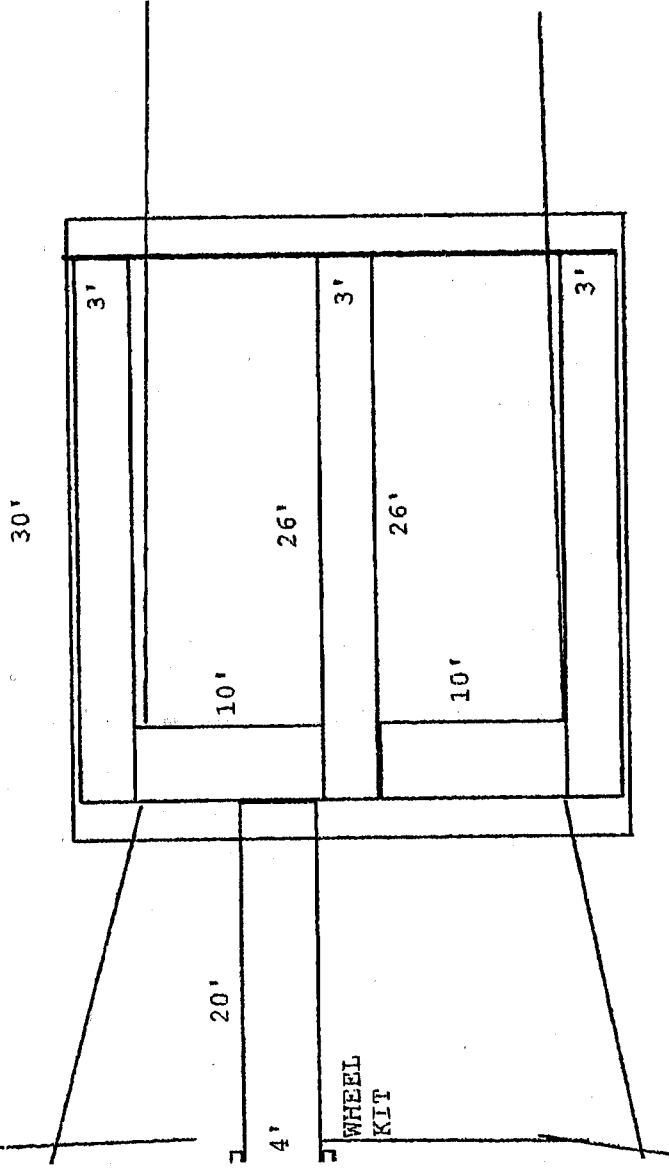
SLIPS FOR LOTS # 53, 54, 64



ADVANTAGE DOCKS
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Exhibit D

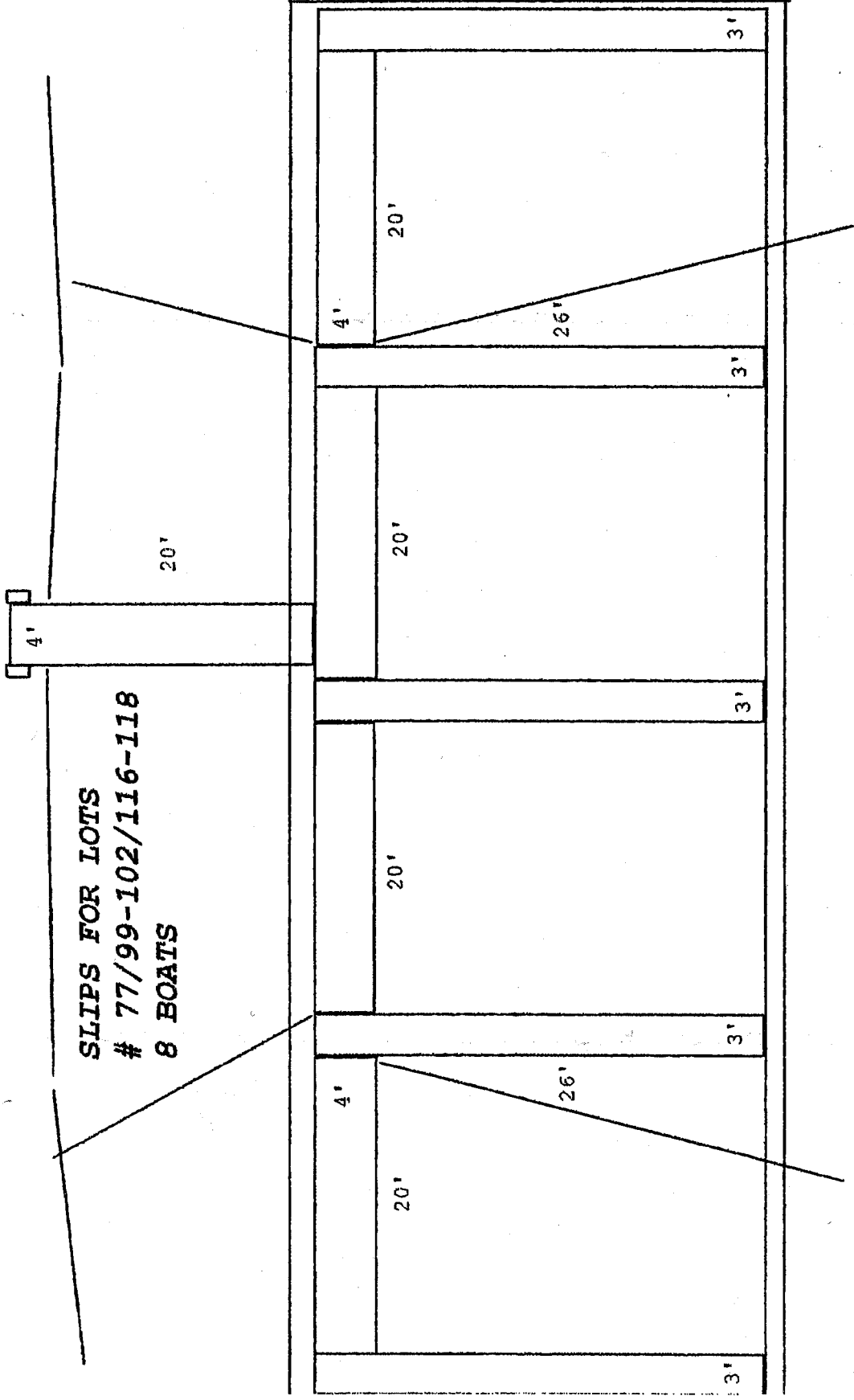
SLIPS FOR LOTS # 69, 70



ADVANTAGE DOCKS
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Exhibit E

SLIPS FOR LOTS
 # 77/99-102/116-118
 8 BOATS



ADVANTAGE DOCKS
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 Exhibit F

TURNERS LANDING
LAKEFRONT DEVELOPMENT
CHEROKEE LAKE
RUSSELLVILLE, TN.

CROSS SECTION / LAUNCH RAMP

